

### **REMARKS/ARGUMENTS**

Favorable reconsideration of the present application is requested in view of the comments and amendments made herein.

Claims 18 and 27-30 are amended. Claims 35-36 are added.

Initially, Applicant would especially like to thank the Examiner for the time spent in a telephone interview on January 31, 2012. No exhibits were shown. Specifically, the Examiner's interpretation of the cited references Kim, Young, Jung et al., and Imai et al. were discussed. Applicant explained that the antibiotic agent of the instant application is consumable over time and is provided in the dishwasher via a user-replaceable component that is intended to be periodically replaced and that results in a structural difference that is distinguished from the cited prior art of record. During the interview, the Examiner generally agreed that such concepts would be sufficient to overcome the cited art of record, most notably the Kim reference. Accordingly, the amended claims are now considered to be in condition for allowance and notice to that effect is hereby requested. If the Examiner determines that the claims are still not in condition for allowance, the Examiner is invited to contact the Applicant's representative at the telephone number listed below to expedite prosecution.

Claims 18, 20, 22, 23, and 26-34 were rejected under 35 USC 103(a) as being unpatentable over Young, Jr. (5,450,868) in view of Kim (2005/0150528). Claim 18 now states, *inter alia*, "the appliance further comprising a replaceable component (8) with at least one support arm that supports an enlarged surface area that is engaged with said at least one consumable antibiotic agent..." Claim 18 further states "wherein the replaceable component (8) is fixed replaceably via said at least one support arm inside the sump, outlet, and/or outlet tube of the liquid-bearing domestic appliance such that the replaceable component (8) is configured to be periodically replaced as said at least one consumable antibiotic agent is consumed over time from said enlarged surface area via exposure to the rinsing liquid and/or stagnant water..." Support can be found at page 11, lines 7-29 of the specification and Figs. 2-5. Neither Young nor Kim discloses or suggests such structure.

As discussed during the telephone interview, Young does not propose to use, or even mention, any antibiotic agent whatsoever in any component of a dishwasher. Instead, Young merely describes a dishwasher pump and filtration system. Indeed, as admitted by the Examiner

on page 4 of the Office action, Young does not disclose that the dishwasher is provided with at least one antibiotic agent, or a replaceable component with an antibiotic agent.

Additionally, Kim merely teaches a dishwasher that provides an antibiotic agent (e.g., silver) that is molded into the plastic resin of the sidewalls of the wash tub 12. See paragraphs [0035] and [0067]. Kim does not teach, in any manner, a replaceable component (8) that is separate from the rinsing tub and has at least one support arm that supports an enlarged surface area with the consumable antibiotic agent such that the replaceable component (8) can be quickly and easily replaced by the end user when the antibiotic agent is used up or the amount of antibiotic has been insufficient.

Indeed, it is respectfully submitted that Kim provides a clear *teaching away* that would *render the prior art reference being modified unsatisfactory for its intended purpose and change the principle of operation of the prior art reference*. See MPEP 2141.02, 2143.01, and 2145. Kim provides a clear teaching away from utilizing any consumable antibiotic agent provided in a replaceable component. Instead, Kim teaches an antibiotic that is permanently formed into and a part of structural elements of a dishwashing machine. Specifically, Kim describes that the inner panel 12 of the dishwasher (i.e., the structural interior framing walls forming an inner space of the dish washing machine) can be formed of the resin material with silver additives. It is not logical that a consumer would periodically replace the inner structural walls of the dishwasher.

For example, Kim teaches “it is also possible that plastic itself contains silver. That is to say, a predetermined sterilizing material such as silver and copper is contained in the resin so as to restrain propagation of bacteria and molds adhered to the surface of the resin. The resin material in which silver is contained to conduct sterilizing/antibacterial/deodorizing functions may be called nano-poly. It is because silver particles contained in the resin are fine particles with a nano size and thus they may be sufficiently dispersed in the resin to improve sterilizing and deodorizing functions.” See paragraphs [0066] – [0069].

Furthermore, even if the Examiner maintains the argument that any element described in Kim is “capable of being replaced periodically if desired for any reason” (see page 3), Kim still does not and cannot teach that any such elements have at least one support arm that supports an enlarged surface area that is engaged with the consumable antibiotic agent. If the Examiner disagrees with this assertion, he is respectfully requested to specifically identify in the specification and drawings of Kim which elements describe such structure.

Therefore, Kim provides a clear *teaching away* from using any consumable antibiotic agent provided in a replaceable component. Thus, no modification of Young with Kim can provide the requirements of claim 1 without *rendering Young and Kim unsatisfactory for their intended purposes and changing their principles of operation*. Accordingly, the subject application is not rendered obvious in view of Young or Kim by way of any proposed modifications thereof.

For at least the reasons above, neither Young nor Kim, either alone or in combination, discloses or suggests all of the recited features of claim 18 as is required by law to support a rejection under 35 USC 103(a). Accordingly, claims 18, 20, 22, 23, and 26-34 are considered to be in condition for allowance. Withdrawal of this rejection is requested.

Claim 24 was rejected as being unpatentable over Young in view of Kim and further in view of Imai et al. (JP 05-111451). The rejection is traversed because Claim 24 is dependent upon independent claim 18, which is now considered to be in condition for allowance. Accordingly, claim 24 is considered to be in condition for allowance. Withdrawal of this rejection is requested.

Claims 18, 20, 22, 23, 25-29, 31-34 were rejected under 35 USC 103(a) as being unpatentable over Jung et al. (2004/0007253) in view of Kim (2005/0150528). Claim 18 now states, *inter alia*, “the appliance further comprising a replaceable component (8) with at least one support arm that supports an enlarged surface area that is engaged with said at least one consumable antibiotic agent...” Claim 18 further states “wherein the replaceable component (8) is fixed replaceably via said at least one support arm inside the sump, outlet, and/or outlet tube of the liquid-bearing domestic appliance such that the replaceable component (8) is configured to be periodically replaced as said at least one consumable antibiotic agent is consumed over time from said enlarged surface area via exposure to the rinsing liquid and/or stagnant water...” Support can be found at page 11, lines 7-29 of the specification and Figs. 2-5. Neither Jung nor Kim discloses or suggests such structure.

As discussed during the telephone interview, Jung does not propose to use, or even mention, any antibiotic agent whatsoever in any component of a dishwasher. Instead, Jung merely describes a dishwasher pump and filtration system. Indeed, as admitted by the Examiner on page 8 of the Office action, Jung does not disclose that the dishwasher is provided with at least one antibiotic agent, or a replaceable component with an antibiotic agent.

As discussed previously herein, Kim does not teach, in any manner, a replaceable component (8) that is separate from the rinsing tub and has at least one support arm that supports an enlarged surface area with the consumable antibiotic agent such that the replaceable component (8) can be quickly and easily replaced by the end user when the antibiotic agent is used up or the amount of antibiotic has been insufficient.. Indeed, as discussed herein, Kim provides a clear *teaching away* from such structure.

For at least the reasons above, neither Jung nor Kim, either alone or in combination, discloses or suggests all of the recited features of claim 18 as is required by law to support a rejection under 35 USC 103(a). Accordingly, claims 18, 20, 22, 23, 25-29, 31-34 are considered to be in condition for allowance. Withdrawal of this rejection is requested.

Claims 35-36 are added. Support can be found in the original specification as filed on at least page 11, lines 7-19 and FIGS. 2-5. Accordingly, claims 35-36 are considered to be in condition for allowance, and notice to that effect is hereby requested.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. AEG-40435.

Respectfully submitted,  
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